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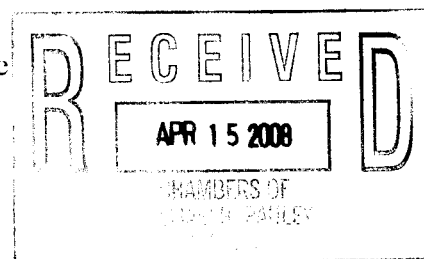
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**Re: The Procter & Gamble Company v. Playtex Products, Inc., No. 08-cv-1532**

April 9, 2008

The Honorable William H. Pauley, III  
United States District Judge  
The Daniel Patrick Moynihan United States Courthouse  
for the Southern District of New York  
500 Pearl Street – Room 2210  
New York, New York 10007



Dear Judge Pauley:

On behalf of Defendant Playtex Products, Inc. ("Playtex"), I write to apprise the Court of Playtex's intention to file a cross-motion for summary judgment on Plaintiff Procter & Gamble ("P&G")'s *res judicata* claim. I have notified P&G's counsel of Playtex's intention to file such a cross-motion.

On April 1, 2008, the parties conferred with the Court concerning P&G's proposed motion for summary judgment on its *res judicata* claim. In view of that conference, Playtex does not believe that it is necessary to hold an additional pre-motion conference on Playtex's cross-motion for summary judgment on the same issue. Rather, the parties can simply follow the briefing schedule outlined in the Court's Scheduling Order of April 2, 2008 with regard to both P&G's motion for summary judgment and Playtex's cross-motion for summary judgment on the *res judicata* claim.

*Application granted*  
**SO ORDERED:**

*William H. Pauley III*  
**WILLIAM H. PAULEY III U.S.D.J.**

*4/16/08*

Respectfully,

*Veronica C. Abreu*  
Veronica C. Abreu  
Attorney for Defendant Playtex Products, Inc.

cc: Matthew B. Lehr  
Harold P. Weinberger